

UNITED STATES DISTRICT COURT
for the
Eastern District of North Carolina

United States of America

v.

Edwin Cruz

)

Case No: 5:08-CR-269-1BR

USM No: 39327-054

Diana Pereira

Date of Original Judgment: July 13, 2009

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of 120 months is reduced to 100 months*

*On Count 1. Count 3 remains unchanged at 84 months, concurrent to Count 1.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated July 13, 2009 shall remain in effect. **IT IS SO ORDERED.**

Order Date: 11/24/2014

Paul Bitt

Effective Date: November 1, 2015
(if different from order date)

W. Earl Britt, Senior U.S. District Judge
Printed name and title